

Hearing Date: October 19, 2010
Hearing Time: 10:00 AM (EST)

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

vs.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

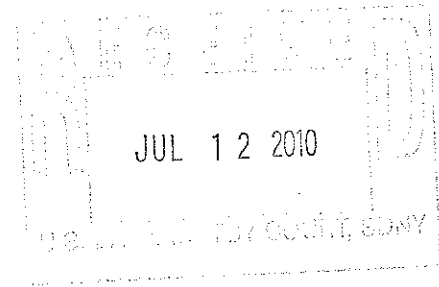
BERNARD L. MADOFF,

Debtor.

Bankruptcy Case No. 08-01789 (BRL)

SIPA Liquidation

(Substantively Consolidated)



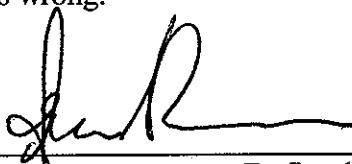
**MEMORANDUM IN OPPOSITION TO TRUSTEE'S MOTION TO AFFIRM
TRUSTEE'S DETERMINATION DENYING CLAIMS OF CLAIMANTS
WITHOUT BLMIS ACCOUNTS IN THEIR NAMES,
NAMELY, INVESTORS IN FEEDER FUNDS**

Pursuant to the Court's Order dated April 13, 2010 (the "Order" [docket no. 2205]), [Roxy Management Defined Benefit Pension Plan] hereby submits this Opposition to the Trustee's Motion For An Order to Affirm Trustee's Determinations Denying Claims of Claimants Without BLMIS Accounts In Their Names, Namely, Investors In Feeder Funds [docket no. 2416], and the memoranda filed by the Trustee and by SIPC in support of the same [docket nos. 2411 and 2414,

respectively].

[Roxy Management Defined Benefit Pension Plan] is an "Objecting Claimant" as defined in the Order. [Roxy Management Defined Benefit Pension Plan] filed an objection to the Trustee's denial of its claim on the basis that [Roxy Management Defined Benefit Pension Plan] did not have an account at BLMIS (the "Objection" [docket no. 1302]). The Objection, along with its exhibits (including [Roxy Management Defined Benefit Pension Plan's] customer claim), is attached hereto as **Exhibit 1**. The Trustee's determination that [Roxy Management Defined Benefit Pension Plan] is not a "customer" under SIPC because it did not have an account in its name at BLMIS is wrong for the reasons set forth in [Roxy Management Defined Benefit Pension Plan's] Objection. In the interest of preserving judicial resources, [Roxy Management Defined Benefit Pension Plan] hereby incorporates by reference as if fully restated herein the arguments set forth in the Objection as to why [Roxy Management Defined Benefit Pension Plan] should be treated as a customer under SIPA. [Roxy Management Defined Benefit Pension Plan] also hereby joins and incorporates by reference as if fully restated herein the arguments and authority cited in the objections and oppositions filed on behalf of all similarly situated Objecting Claimants as to why the Trustee's determination on the customer issue is wrong.

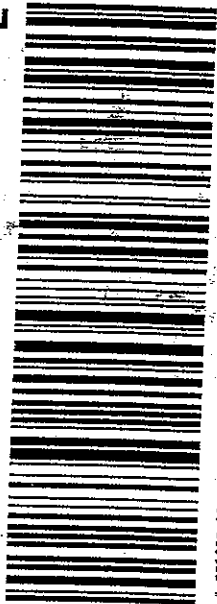
Dated: July 12, 2010



Roxy Management Defined Benefit Pension
Plan

FedEx
TRK# 8704 1558 6711
0215
MON 12 JUL A1
STANDARD OVERNIGHT
DSR
10004
NY-US
EWR

SB SXVA



Enp# 551685 09JUL10 TMTA

Packages up to 150 lbs.

4a Express Package Service * To most locations.

☒ **FedEx Standard Overnight** ☐ **FedEx First Overnight**
Next business morning. * Friday delivery to select locations. Saturday delivery NOT available. Saturday delivery NOT available.

☐ **FedEx 2Day** ☐ **FedEx Express Saver**
Second business day. * Thursday delivery to select locations. Saturday delivery NOT available.

Packages over 150 lbs.

4b Express Freight Service ** To most locations.

☐ **FedEx 1Day Freight** ☐ **FedEx 2Day Freight**
Next business day. * Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected. ☐ **FedEx 3Day Freight**
Third business day. * Saturday delivery NOT available.

☐ **FedEx 1Day Freight** ☐ **FedEx 2Day Freight**
Next business day. * Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected. ☐ **FedEx 3Day Freight**
Third business day. * Saturday delivery NOT available.

☐ **FedEx 1Day Freight** ☐ **FedEx 2Day Freight**
Next business day. * Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected. ☐ **FedEx 3Day Freight**
Third business day. * Saturday delivery NOT available.

5 Packaging * Declared value limit \$500.

☒ **FedEx Pak*** ☐ **FedEx Box** ☐ **FedEx Tube** ☐ **Other**
Includes FedEx Small Pak, FedEx Large Pak, and FedEx Sturdy Pak.

6 Special Handling and Delivery Signature Options

☐ **SATURDAY Delivery** ☐ **Signature Required** ☐ **Signature Not Required**
NOT available for FedEx Standard Overnight, FedEx First Overnight, FedEx Express Saver, or FedEx 3Day Freight. Signature required for delivery. Signature not required for delivery.

☐ **Signature Required** ☐ **Signature Not Required**
Signature required for delivery. Signature not required for delivery.

☐ **Signature Required** ☐ **Signature Not Required**
Signature required for delivery. Signature not required for delivery.

7 Payment Bill to: ☐ **Sender** ☐ **Recipient** ☐ **Third Party** ☐ **Credit Card** ☐ **Cash/Check**
Enter FedEx Acct. No. or Credit Card No. below. Obtain Receipt. Acct. No.

☐ **Sender** ☐ **Recipient** ☐ **Third Party** ☐ **Credit Card** ☐ **Cash/Check**
Enter FedEx Acct. No. or Credit Card No. below. Obtain Receipt. Acct. No.

☐ **Sender** ☐ **Recipient** ☐ **Third Party** ☐ **Credit Card** ☐ **Cash/Check**
Enter FedEx Acct. No. or Credit Card No. below. Obtain Receipt. Acct. No.

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FedEx **US Airbill**
Express

1 From This portion can be removed for Recipient's records.
Date 7/12/10 FedEx Tracking Number 8704 1558 6711

Sender's Name George Robert Phone 954 610 3424

Company SOUTHERN LEISURE

Address 1005 NE 43RD ST

City OAKLAND PARK State FL ZIP 33334-0905

2 Your Internal Billing Reference

3 To Recipient's Name Mark of the US Air Force Phone 954 610 3424

Company US Air Force Address One Bowling Green

City NY State NY ZIP 10004-1408

Address One Bowling Green

City NY State NY ZIP 10004-1408

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Address One Bowling Green

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